

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ACP GP, LLC, et al.,

Plaintiffs,

v.

MOTIVATIONAL COACHES OF
AMERICA, INC., et al.,

Defendants.

Civil Action No.: 2:18-cv-13147

ORDER

CECCHI, District Judge.

This matter having come before the Court on the motion to dismiss (the “Motion”) of *pro se* litigant Julio Avel (“Defendant”), filed on January 23, 2019 (ECF No. 24); and

It appearing that on March 18, 2019, the Clerk’s Office was sent back, as undeliverable, mail sent to Defendant at 15483 SW 146th Terrace, Miami, FL 33196, which is the address Defendant provided to the Court (ECF No. 37); and

It appearing that the envelope returned as undeliverable was marked to indicate that the address provided was not the correct address for Defendant (ECF No. 37); and

It appearing that Defendant has not complied with Local Civil Rule 10.1(a) which requires unrepresented parties to advise the Court of any change of address within five (5) days and provide the Court with a valid address that mail can be delivered to; and

It appearing that, on September 30, 2019, the Court ordered Defendant to show cause in writing by October 30, 2019 why the Motion should not be denied for failure to comply with Local Civil Rule 10.1(a) (ECF No. 40); and

It appearing that Defendant has not contacted the Clerk of the Court to provide his correct address pursuant to Local Civil Rule 10.1(a).

Accordingly, **IT IS** on this 14 day of November, 2019,

ORDERED that Defendant's Motion is hereby **DENIED WITHOUT PREJUDICE** for failure to comply with Local Civil Rule 10.1(a); and it is further

ORDERED that the Clerk of the Court shall terminate the motion.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Claire C. Cecchi', written above a horizontal line.

CLAIRE C. CECCHI, U.S.D.J.